

# EXHIBIT “D”



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT, ATTACHMENTS**  
 EFFECTED (1) BY ME: **PAUL SANTANGELO**  
 TITLE: **PROCESS SERVER**

DATE: 02/08/2006 02:25PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

Served personally upon the defendant:

DOUBLEDAY

Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANORelationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'0"-5'3" WEIGHT: 100-130 LBS. SKIN: WHITE HAIR: BROWN OTHER: GLASSES

To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 02/08/2006
  
 I.S.  
 SIGNATURE OF PAUL SANTANGELO  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083
02/08/06
  
PL  
 PATRICIA LONGSON  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires Feb. 9, 2008

ATTORNEY: EVAN J. SMITH, ESQ.  
 PLAINTIFF: MICHELE SNOW  
 DEFENDANT: DOUBLEDAY, ET AL  
 VENUE: DISTRICT OF NY  
 DOCKET: 06 CV 669

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**SP**



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS IN A CIVIL CASE, COMPLAINT, ATTACHMENTS**  
 EFFECTED (1) BY ME: **PAUL SANTANGELO**  
 TITLE: **PROCESS SERVER**

DATE: 02/08/2006 02:25PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

 Served personally upon the defendant:

RANDOM HOUSE, INC.

Place where served:

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'0"-5'3" WEIGHT: 100-130 LBS. SKIN: WHITE HAIR: BROWN OTHER: GLASSES

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## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

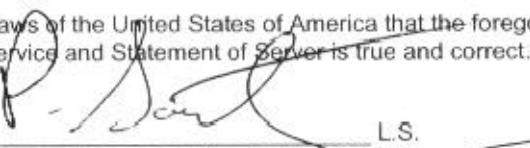
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

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DATE: 02/08/2006

  
 L.S.  
 SIGNATURE OF PAUL SANTANGELO  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

  
 02/08/06

ATTORNEY: EVAN J. SMITH, ESQ.  
 PLAINTIFF: MICHELE SNOW  
 DEFENDANT: DOUBLEDAY, ET AL  
 VENUE: DISTRICT OF NY  
 DOCKET: 06 CV 669

PATRICIA LONGSON  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires Feb 8, 2006

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

  
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 EFFECTED (1) BY ME: **PAUL SANTANGELO**  
 TITLE: **PROCESS SERVER**

DATE: 02/08/2006 02:25PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

Served personally upon the defendant:

ANCHOR BOOKS, A DIVISION OF RANDOM HOUSE, INC.

Place where served:

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

SEX: F AGE: 51-65 HEIGHT: 5'0"-5'3" WEIGHT: 100-130 LBS. SKIN: WHITE HAIR: BROWN OTHER: GLASSES

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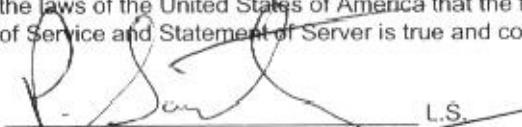
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

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DATE: 02/08/2006

  
 L.S.  
 SIGNATURE OF PAUL SANTANGELO  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

  
 PATRICIA LONGSON  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires Feb. 8, 2008

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

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 EFFECTED (1) BY ME: **PAUL SANTANGELO**  
 TITLE: **PROCESS SERVER**

DATE: 02/08/2006 02:25PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

 Served personally upon the defendant:

BANTAM DOUBLEDAY DELL PUBLISHING GROUP

Place where served:

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

VICKI MODIANO

Relationship to defendant: ASS. TO KATHERINE TRACER, GENERAL COUNSEL

Description of person accepting service:

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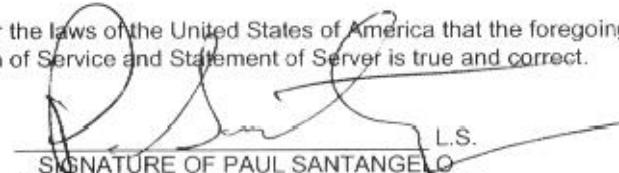
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

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DATE: 02/08/2006

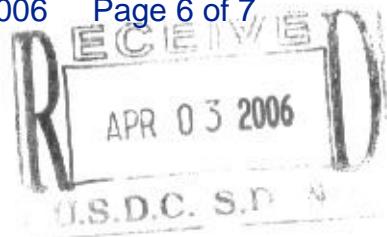
  
 L.S.  
 SIGNATURE OF PAUL SANTANGELO  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

  
 02/08/06  
 PL

PATRICIA LONGSON  
 NOTARY PUBLIC, STATE OF NEW JERSEY  
 #41384  
 EXPired: Sept 4, 2008

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

SP



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

MICHELE SNOW, Individually and on )  
Behalf of All Others Similarly Situated )  
)

Plaintiff, ) Case No. 06-CV-669

**CLASS ACTION COMPLAINT**

v. )

)  
DOUBLEDAY, A DIVISION OF )  
RANDOM HOUSE, INC.; BANTAM )  
DOUBLEDAY DELL PUBLISHING )  
GROUP; RANDOM HOUSE, INC.; )  
ANCHOR BOOKS, A DIVISION OF )  
RANDOM HOUSE, INC.; JAMES FREY )

**JURY TRIAL DEMANDED**

)  
Defendants. )  
)

**WAIVER OF FORMAL SERVICE  
PURSUANT TO F.R.C.P. 4(d).**

TO: Evan J. Smith, Esquire  
Two Bala Plaza, Suite 602  
Bala Cynwyd, PA 19004

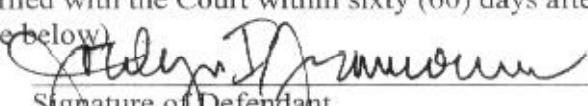
I acknowledge receipt of your request that I waive service of a summons in the above-captioned matter. I have also received a copy of the Complaint in the action, two copies of this instrument, and a means by which I can return this signed waiver without costs to me.

I agree to save the cost of service of a summons and an additional copy of the Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all my defenses or objections to the lawsuit or to the jurisdiction or venue of the Court, except for objections based upon a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me if an answer or motion under Rule 12 is not served upon you and filed with the Court within sixty (60) days after the date this notice was sent (see typed date below).

Date: March 2, 2006

  
Signature of Defendant  
JAMES FREY or his attorney

2220 - Served  
 2224 - Not Served  
 2220 - Served By Mail  
 2420 - Served By Publication  
**SUMMONS**

2221 - Served  
 2223 - Not Served  
 2321 - Served By Mail  
 2421 - Served By Publication  
**ALIAS - SUMMONS**

(Rev.1/2/01) CCG 0001

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS**  
**COUNTY DEPARTMENT, CHANCERY DIVISION**

(Name all parties)

No. 06 CH 02009

MARCI A VEDRAL, individually and on behalf of all others similarly situated,

Plaintiff

v.

JAMES FREY, DOUBLEDAY & COMPANY, INC., ALFRED A. KNOPF, INC. d/b/a ANCHOR BOOKS and RANDOM HOUSE, INC.,

Defendants.

**PLEASE SERVE:**

Doubleday & Company, Inc.  
 c/o Jacqueline Chasey, Esq.  
 Bertelsmann, Inc.  
 1540 Broadway  
 New York, NY 10036

**ALIAS SUMMONS**

To each defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the office of the Clerk of this Court at the following location:

<input checked="" type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room 802	Chicago, Illinois 60602	
<input type="checkbox"/> District 2 - Skokie 5600 Old Orchard Rd. Skokie, IL 60077	<input type="checkbox"/> District 3 - Rolling Meadows 2121 Euclid Rolling Meadows, IL 60068	<input type="checkbox"/> District 4 - Maywood 1500 Maybrook Ave. Maywood, IL 60153
<input type="checkbox"/> District 5 - Bridgeview 10220 S. 76th Ave. Bridgeview, IL 60455	<input type="checkbox"/> District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60426	

You must file within 30 days after service of this summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned unendorsed. This summons may not be served later than 30 days after its date.

Atty. No.: 22873WITNESS, February 9, 2006Name: Larry D. Drury, Ltd.Atty. for: PlaintiffAddress: 210 West Randolph, Suite 1430City/State/Zip: Chicago, IL 60606Telephone: 312/346-7950

Clerk of Court

Date of service: 2-15-06  
 (To be inserted by officer on copy left with defendant  
 or other person)

(Area Code) (Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY